



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Port of Pasco
Petitioner,

vs.

Franklin County
Respondent 1
BNSF Railway Company
Respondent 2

DOCKET NO. TR-

PETITION TO CONSTRUCT A
HIGHWAY-RAIL GRADE
CROSSING

USDOT CROSSING NO.: TBD¹

By filing this petition with the Washington Utilities and Transportation Commission (UTC), the Petitioner alleges that public safety requires the construction of a highway-rail grade crossing under RCW 81.53.060.

RCW 81.53.020 requires that new highway-rail grade crossings be constructed either over or under grade, when practicable (see Section 7 below). Prior to submitting this petition to the UTC, the Petitioner must complete a feasibility analysis to determine whether a grade-separated crossing is practicable and attach a copy of the analysis with the petition.

In addition, prior to submitting this petition to the UTC, State Environmental Protection Act (SEPA) requirements must be met. While the Commission's actions are generally categorically exempt under SEPA, that categorical exemption does not apply to "authorization of the openings or closing or any highway/rail grade crossing." Washington Administrative Code (WAC) 197-11-865(2). The Petitioner therefore must attach sufficient documentation to demonstrate SEPA compliance. For additional information on SEPA requirements contact the Department of Ecology.

¹ If the petition to construct the crossing is approved, the railroad will assign a USDOT number. If the railroad is unable to assign a USDOT number, the parties can ask the UTC to assign one.

Section 1 – Petitioner's Information

Port of Pasco
Petitioner

Signature
1110 Osprey Point Blvd., Suite 201
Street Address
Pasco, WA 99301
City, State and Zip Code
<input type="text"/>
Mailing Address, if different than the street address
Stephen McFadden
Contact Person Name
(509) 547-3378, smcfadden@portofpasco.org
Contact Phone Number and Email

Section 2 – Respondent's Information

Franklin County
Respondent 1
1016 N 4th Avenue
Street Address
Pasco, WA 99301
City, State and Zip Code
<input type="text"/>
Mailing Address, if different than the street address
Craig Erdman
Contact Person Name
509-545-3514, cerdman@franklincountywa.gov
Contact Phone Number and Email

BNSF Railway Company
Respondent 2
2650 Lou Menk Drive, MOB-2
Street Address
Fort Worth, Texas 76131-2839
City, State and Zip Code
Mailing Address, if different than the street address
John Adams
Contact Person Name
206.625.6355, John.Adams2@BNSF.com
Contact Phone Number and Email

Section 3 – Proposed Crossing Location

1. Existing highway/roadway: North Railroad Ave.
2. Existing railroad: BNSF Railway to provide service on Port owned industry lead track
3. GPS location: 46.2991° N, 119.1130° W
4. Railroad mile post (nearest tenth): MP 0.3 on Port lead track
5. City: Pasco County: Franklin

Section 4 – Current Highway Traffic Information

1. Name of roadway/highway: **North Railroad Ave**

2. Roadway classification: **Rural Major Collector / UMA-T4**

3. Road authority: **Franklin County**

4. Average annual daily traffic (AADT): **1,084**

5. Number of lanes: **2**

6. Roadway speed: **50**

7. Is the road part of an established truck route? Yes No

8. If so, trucks are what percent of total daily traffic? **54** %

9. Is the road part of an established school bus route? Yes No

10. If so, how many school buses travel over the crossing each day?

11. Describe any changes to the information in 1 through 9, above, expected within ten years:

The above ADT information is based on latest Franklin County data collected in 2018 modified with an growth figure of 2% per year. Traffic is expected to increase within the next ten years to an approximate ADT of 4,000 based on information provided by future Port tenant Darigold's consultant Mead and Hunt. See also attached feasibility study (Appendix A).

Section 5 – Railroad Information

1. Railroad company:

2. Type of railroad at crossing: Common Carrier Logging Industrial
 Passenger Excursion

3. Type of tracks at crossing: Main Line Siding or Spur

4. Number of tracks at crossing:

5. Average daily train traffic, freight:
Authorized freight train speed: Operated freight train speed:

6. Average daily train traffic, passenger:
Authorized passenger train speed: Operated passenger train speed:

7. Will the proposed crossing eliminate the need for one or more existing crossings?
 Yes No

8. If so, state the distance and direction from the proposed crossing:

9. Does the petitioner propose to close any existing crossings?
 Yes No

Section 6 – Temporary Crossing

1. Is the crossing proposed to be temporary? Yes No

2. If so, describe the purpose of the crossing and the estimated time it will be needed:

3. Will the petitioner remove the crossing at completion of the activity requiring the temporary crossing? Yes No

Approximate date of removal:

Section 7 – Alternatives to the Proposal

1. Is it practicable or feasible to construct an over-crossing or under-crossing at the proposed location as an alternative to an at-grade crossing? (RCW 81.53.020)

Yes No

2. If constructing an over-crossing or under-crossing is *not practicable*, explain why and include a copy of the grade crossing feasibility study with petition. (Per RCW 81.53.020 - *In determining whether a separation of grades is practicable, the commission takes into consideration the amount and character of travel on the railroad and on the highway; the grade and alignment of the railroad and the highway; the cost of separating grades; the topography of the country, and all other circumstances and conditions involved.*)

See attached feasibility study (Appendix A).

3. Does a safer location for a crossing exist within a reasonable distance of the proposed location?

Yes No

4. If a safer location exists, explain why the crossing should not be located at that site:

5. Does the railway line, at any point in the vicinity of the proposed crossing, pass over a fill area or trestle or through a cut where it is feasible to construct an over-crossing or an under-crossing, even though it may be necessary to relocate a portion of the roadway to reach that point?

Yes No

6. If such a location exists, state:

- ◆ The distance and direction from the proposed crossing.
- ◆ The approximate cost of construction.
- ◆ Any reasons that exist to prevent locating the crossing at this site.

7. Is there an existing public or private crossing in the vicinity of the proposed crossing?

Yes No

8. If a crossing exists, state:

- ◆ The distance and direction from the proposed crossing.
- ◆ Whether it is feasible to divert traffic from the proposed to the existing crossing.

Section 8 – Sight Distance

1. Complete the following table, describing the sight distance for motorists when approaching the tracks from either direction.

a. Approaching the crossing from **North**, the current approach provides an unobstructed view as follows: (North, South, East, West)

Direction of sight (left or right)	Number of feet from proposed crossing	Provides an unobstructed view for how many feet
Right	300	813
Right	200	635
Right	100	494
Right	50	435
Right	25	411
Left	300	505
Left	200	251
Left	100	110
Left	50	49
Left	25	19

b. Approaching the crossing from **South**, the current approach provides an unobstructed view as follows: (Opposite direction-North, South, East, West)

Direction of sight (left or right)	Number of feet from proposed crossing	Provides an unobstructed view for how many feet
Right	300	1,500
Right	200	650
Right	100	1,500
Right	50	1,500
Right	25	1,500
Left	300	248
Left	200	203
Left	100	102
Left	50	49
Left	25	22

2. Will the new crossing provide a level approach measuring 25 feet from the center of the railway on both approaches to the crossing?

Yes No

3. If not, state in feet the length of level grade from the center of the railway on both approaches to the crossing. 0

4. Will the new crossing provide an approach grade of not more than five percent prior to the level grade?

Yes No

5. If not, state the percentage of grade prior to the level grade and explain why the grade exceeds five percent.

Road grade is 0.88%, downhill heading southbound through entirety of crossing. Railroad track grade is downhill 1.00% to the southwest. Roadway surface cross slope transitions will be provided off both ends of crossing to transition between non-crowned section at road crossing and a crowned road section on approaching roadway (transitions occur over a length of between 50 and 100 feet off both ends of crossing) See attached illustration / plans (Appendix B).

6. Are there any hillsides, embankments, buildings, trees, railroad loading platforms or other barriers in the vicinity which may obstruct a motorist's view of the crossing?

Yes No

7. If a barrier exists, describe:

- ◆ Whether petitioner can relocate the crossing to avoid the obstruction and if not, why not.
- ◆ How the barrier can be removed.
- ◆ How the petitioner or another party can mitigate the hazard caused by the barrier.

Section 9 – Illustration of Proposed Crossing Configuration

Attach a detailed design diagram, drawing, map, or other illustration showing the following:

- ◆ All elements of the proposed crossing (e.g., warning devices, crossing, sidewalks, etc.).
- ◆ Layout of the railway and highway 500 feet adjacent to the crossing in all directions.
- ◆ Percent of grade.
- ◆ Obstructions of view as described in Section 7 or identified in Section 8.
- ◆ Traffic control layout showing the location of the existing and proposed signage.

Section 10 – Proposed Warning Signals or Devices

Explain in detail the number and type of automatic signals or other warning devices planned at the proposed crossing, including a cost estimate for each. Include the type of train detection circuitry. (RCW 81.53.261) NOTE: If crossing signals will be interconnected to a highway traffic signal, contact commission staff as additional documentation will be required.

An active warning system that would include shoulder lights with automatic gates (one set on each approach of crossing). Train detection is proposed to be constant warning type. The proposed warning system would be set up for 10 MPH rail operations. All elements will be installed per current MUTCD and BNSF standards. The estimate for the signal system is approximately \$350,000 dollars.

Section 11 – Additional Information

Provide any additional information supporting the public safety need for the proposal, including project-specific information such as the public benefits that would be derived from constructing a new crossing as proposed.

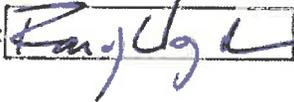
The Port wants to be competitive when there are industrial development prospects. The Port regularly submits proposals to potential interested developers that will create jobs and additional tax base for the City. One of the key factors for site selection for potential users is rail access to their site. They would like a site that has existing rail access or a site which can have rail access implemented within 6 months or less.

Section 12 – Cost Apportionment

If the commission approves the construction of the crossing requested in this petition, it will apportion costs in accordance with the applicable statutes. (RCW 81.53.130 and 81.53.271).

In the alternative, if the parties to this petition have reached an agreement related to apportionment of costs, please sign here to confirm:

Petitioner Signature:



Respondent Signature 1:



Respondent Signature 2:

Alex Funderburg Digitally signed by Alex Funderburg
Date: 2023.05.16 16:28:16 -0700

Section 13 – Respondent's Review

The undersigned represents the Respondents in the petition to construct a highway-railroad grade crossing.

USDOT Crossing No.: **TBD**

We have investigated the conditions at the proposed crossing site. We are satisfied the conditions are the same as described by the Petitioner. We consent to a decision by the commission based on a review of the documents filed in this docket.

Dated at PASCO, Washington, on the 25 day of January Sept. 2023.

Franklin County

Printed Name of Respondent 1

Craig Edmone, PE

Signature of Respondent's Representative

DIRECTOR / COUNTY ENGINEER

Title

FRANKLIN COUNTY, WA - PUBLIC WORKS DEPT.

Name of Company

(509) 545-3514

Phone Number

cerdman@franklincountywa.gov

Email Address

3416 STEARMAN AVE
PASCO, WA 99301

Mailing Address

BNSF Railway Company

Printed Name of Respondent 2

Alex Funderburg

Digitally signed by Alex Funderburg
Date: 2023.05.18 16:28:30 -07'00'

Signature of Respondent's Representative

Manager Public Projects

Title

BNSF Railway

Name of Company

206-625-6152

Phone Number

alex.funderburgjr@bnsf.com

Email Address

**Attn. Alex Funderburg
605 Puyallup Ave
Tacoma, WA 98421**

Mailing Address

Checklist prior to submitting petition:

- ✓ Ensure all petition fields are completed.
- ✓ Ensure parties sign Section 12 regarding any Cost Apportionment agreement, if applicable.
- ✓ Obtain signature on Respondent's Review (Section 13). *If respondent fails to sign this section, advise UTC staff upon submission.*
- ✓ Attach copies of:
 - SEPA Determination of Non-Significance.
 - Grade separation feasibility study (described in Section 7).
 - Illustration of crossing (described in Section 9).
 - Any other relevant documents to support the petition, including but not limited to support of public need, project information, etc.

Submitting the petition: To officially file the petition, send the petition form and supporting documents to records@utc.wa.gov.

Questions: For questions, please contact:

<p>Mike Turcott Transportation Planning Specialist mike.turcott@utc.wa.gov (360) 764-0572</p>	<p>Tyler Whitcomb Transportation Planning Specialist tyler.whitcomb@utc.wa.gov (564) 669-0943</p>
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